



City Council Agenda

Council President
Henry Perea

Councilmembers

Tom Boyajian
Brian Calhoun
Brad Castillo

Jerry Duncan
Sal Quintero
Daniel Ronquillo, Acting President

Interim City Manager
Andrew T. Souza

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, FEBRUARY 13, 2001

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON www.ci.fresno.ca.us. THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:30 A.M.

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Agency minutes of January 30, 2001

Action Taken:

GENERAL ADMINISTRATION

- A. Consider and give direction for the implementation of a pilot project to make essential energy related home improvements for low to moderate income senior citizens using the District 7 unobligated housing set aside funds from FY 2000-2001 - Council President Perea

Action Taken:

- B. **RESOLUTION** - Designating positions which shall be subject to the conflict of interest code and defining categories of disclosure for such positions (***Council and Agency action***)

Action Taken:

ADJOURN

9:00 A.M. COUNCIL ROLL CALL

Invocation Pastor David James of the United Christian Church

Pledge of Allegiance to the Flag

Proclamation of “GALEN COLLEGE OF MEDICAL AND DENTAL ASSISTANTS DAY” - Councilmember Boyajian

Recognition of Fresno Unified School District Employees of the Year 2001: Darrel Blanks, Primary Teacher; Ann Williams, Intermediate Teacher; Naomi Jimenez, Middle School Teacher; Carol Gray, High School Teacher, Kathryn Johnsen, High School Teacher; Carol Hansen, Administrator; Carol Holmes, Classified Employee; Shelly Parrish, Jean Gromis Memorial Award - Acting President Ronquillo, Councilmembers Boyajian and Calhoun

COUNCIL ACTION ON UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve Council minutes of February 6 and 7, 2001

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

****ITEMS SUBJECT TO MAYOR’S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS

10:00 A.M.#1

HEARING to consider Plan Amendment Application No. A-00-15, Rezoning Application No. R-00-33, and environmental findings, filed by Ralph Lovelace, for 2.3 acres, located on the northwest corner of South West Avenue and W. Kearney Boulevard - Development

- a. Consider and adopt the Negative Declaration for Environmental Assessment No. A-00-15, R-00-33 dated November 2, 2000
- b. **RESOLUTION** - Amending the Edison Community Plan
- c. **BILL** - Amending the Fresno-Chandler Downtown Airport Master and Environs Specific Plan to change the planned land use designation of property located therein from the low density residential to the medium low density residential land use designation
- d. **BILL** - Amending the Official Zone Map to rezone property from the R-2-A zone district to the R-1-C/CZ zone district

Action Taken:

10:00 A.M. #2

CONTINUED HEARING to consider an appeal of Planning Commission action on Site Plan Review Application No. S-00-316, relating to construction of a self-service automobile fueling station on property located at 5638 E. Kings Canyon Road at Clovis Avenue - Councilmember Quintero

- a. Consider and adopt Categorical Exemption for Environmental Assessment No. S-00-316
- b. **RESOLUTION** - Approve Planning Commission recommendation

Action Taken:

10:30 A.M.

HEARING to consider adoption of:

- a. **RESOLUTION** - Amending the Storm Drainage and Flood Control Master Plan and amending the schedule of costs and fees for each local drainage area within the joint area of the City of Fresno, and the Fresno Metropolitan Flood Control District

Action Taken:

- b. * **RESOLUTION** - 379th amendment to MFS Resolution No. 80-420 to update the schedules as to the Fresno Metropolitan Flood Control District

Action Taken:

11:00 A.M.

Discussion of State Courthouse in downtown:

- a. Report by committee regarding consideration of Eaton Plaza as potential site for new State Courthouse

Action Taken:

- b. Direct City Manager to send letter of interest to State

Action Taken:

- c. **RESOLUTION** - In support of the State of California locating the 5th District Court of Appeals in the downtown - Acting President Ronquillo

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

11:15 A.M.

Presentation by Jerry Wolff for Gardnyr Michael Capital Leasing regarding downtown parking structure - Acting President Ronquillo and Councilmember Boyajian

Action Taken:

- a. Request City Manager to direct staff to meet with Gardnyr Michael Capital Leasing to review proposal and return to Council with staff recommendation and report

Action Taken:

2:00 P.M.

CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6

City Negotiator(s): Jorge Aguiniga, Andrew T. Souza and Matthew Gargiulo

Employee Organization(s):

1. International Association of Firefighters, Local 753 Non-Management Fire (IAFF)
2. International Association of Firefighters, Local 753 Fire Management (IAFF)

Action Taken:

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Govt. Code Section 54956.9, Subdivision (a)

1. **Case Name:** Clayton Turner v. City of Fresno

Action Taken:

C. CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION - Government Code Section 54956.9, Subdivision (c)

1. **Case Name:** City of Fresno v. Long Construction, Inc., Fresno Convention Investors, Inc., Bud Long, Inc., dba Fresno Convention Investors

Action Taken:

2:00 P.M.

JOINT CLOSED SESSION WITH THE REDEVELOPMENT AGENCY

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Government Code Section 54957

Title: Redevelopment Agency Executive Director Dan Fitzpatrick

Action Taken:

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9, Subdivision (b)

1. **Case Name:** Palm Lakes Golf Course (1984 Deed from Stravinski to City of Fresno Equipment Corp.)

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A.

GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED IMMEDIATELY FOLLOWING THE CONSENT CALENDAR ADOPTION)

1. * **RESOLUTION** - 102nd amendment to AAR No. 2000-183 appropriating \$2,997,900 for the Traffic Congestion Relief Fund Projects (*Requires 5 affirmative votes*) - Public Works Dept.
Action Taken:
2. **RESOLUTION** - Approving the summary vacation of a portion of Golden State Boulevard between Fourth and Orange Avenues - Public Works
Action Taken:
3. * **RESOLUTION** - Approving the application for grant funds from various special appropriations and the execution of a grant agreement and any amendments thereto for improvements at Holmes Playground - Parks Dept.
 - a. * **RESOLUTION** - 101st amendment to AAR No. 2000-183 appropriating \$91,700 of grant resources for improvements at Holmes Playground (*Requires 5 affirmative votes*)
Action Taken:
4. * **RESOLUTION** - Applying to the Fresno Local Agency Formation Commission in the matter of the proposed Jensen-Cedar No. 2 Reorganization - Development Dept.
Action Taken:
5. **RESOLUTION** - Establishing procedures for appeals and debarment in the competitive bidding process and repealing Resolutions No. 98- 59 and 2000-58 - City Manager's Office/Purchasing
Action Taken:

1B.

CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS

1C.

CONSENT CALENDAR - BILL FOR ADOPTION - BLUE TABS

2.

PLANNING AND ZONING ADMINISTRATION

**ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION*

3.

GENERAL ADMINISTRATION

- A. Adoption of ordinances relating to technical tax clarifications to the Fresno Retirement Systems - Retirement Division
1. * **BILL NO. B-15 - (Intro. 2/6/2001)** - Amending Sections 2-1702, 2-1703, and 2-1722.1 of the Fresno Municipal Code, relating to technical tax clarifications to the Fire and Police Retirement System
Action Taken:
 2. * **BILL NO. B-16 - (Intro. 2/6/2001)** - Amending Sections 2-1802, 2-1803, and 2-1828 of the Fresno Municipal Code, relating to technical tax clarifications to the Employees Retirement System
Action Taken:
 3. * **BILL NO. B-17 - (Intro. 2/6/2001)** - Amending Section 2-1722A.1 of the Fresno Municipal Code relating to technical tax clarifications to the Fire and Police Retirement System
Action Taken:
- B. Adoption of ordinances relating to continuation of allowances to surviving disabled children past the age of eighteen - Retirement Division
1. * **BILL NO. B-18 - (Intro. 2/6/2001)** - Amending Sections 2-1723 and 2-1732 of the Fresno Municipal Code, relating to continuation of allowances to surviving disabled children past the age of eighteen in the Fire and Police Retirement System
Action Taken:
 2. * **BILL NO. B-19 - (Intro. 2/6/2001)** - Amending Sections 2-1723A and 2-1732A of the Fresno Municipal Code, relating to continuation of allowances to surviving disabled children past the age of eighteen in the Fire and Police Retirement System
Action Taken:
 3. * **BILL NO. B-20 - (Intro. 2/6/2001)** - Amending Sections 2-1840.1 and 2-1840.3 of the Fresno Municipal Code, relating to continuation of allowances to surviving disabled children past the age of eighteen in the Employees Retirement System
Action Taken:

4.

CITY ATTORNEY

5.

CITY COUNCIL

- A. * **RESOLUTION** - Adopt the 100th amendment to the AAR No. 2000-183 appropriating \$8,000 of District 7's general fund infrastructure budget to fund Tree Fresno (***Requires 5 affirmative votes***) - Council President Perea
Action Taken:
- B. Proposed appointment of Michael P. Guidry to the Human Relations Commission (***For introduction***) - Councilmember Duncan
Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

5. **CITY COUNCIL CONTINUED**

- C. Consideration of proposal to review the Fresno Municipal Code, including elimination of obsolete ordinances and revision where necessary to bring it up to date - Councilmember Duncan
Action Taken:
- D. Report from Association for the Beautification of Highway 99 Council Subcommittee - Acting President Ronquillo, Councilmembers Calhoun and Boyajian
Action Taken:
- E. Report to Council on maintenance contract of median islands on Fresno Street around Community Medical Hospital and response of Council's concerns of unsatisfactory maintenance of island - Acting President Ronquillo
Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

SCHEDULED COUNCIL HEARINGS AND MATTERS

- Feb. 20 - NO MEETING - PRESIDENT'S DAY**
- Feb. 27 - 8:30 A.M. JOINT RDA/COUNCIL HEARING** re: proposed OPA and DDA betw. RDA and Lonzell and LaVera Williams, property located at northeasterly corner of Fresno and "A" Streets
- Feb. 27 - 10:00 A.M. HEARING** re: Rezone Appl. No. R-00-39, filed by CAP Investors
- Feb. 27 - 10:15 A.M. HEARING** re: Rezone Appl. No. R-00-49, filed by Francisco A. Mayo
- Feb. 27 - 10:30 A.M. HEARING** re: Rezone Appl. No. R-00-29, filed by Sam Lucido
- Feb. 27 - 10:45 A.M. HEARING** re: Rezone Appl. No. R-00-46, filed by National Farm Workers
- Feb. 27- 11:00 A.M. HEARING** re: mid-rise/high-rise 6-story Trauma Center CUP C-00-234, filed by Fresno Community Hospital
- Feb. 27- 11:15 A.M. CONTINUED HEARING** to consider Rezoning Application No. R-00-036 and environmental findings, filed by Colburn Thomason, for 19.4 acres of property located at the east side of N. Van Ness Blvd. between W. Alluvial and the San Joaquin River Bluffs
- Mar. 6 10:00 A.M. TEFRA HEARING** for the Californian Project
- Mar. 6 - 10:15 A.M. HEARING** re: Rezone Appl. No. R-00-050, filed by Sequoia/Fresno Joint Venture
- Mar. 6 - 10:45 A.M. HEARING** re: Plan Amendment No. A-00-10, Text Amendment No. TA-00-06 and CUP No. C-00-173, for a six-story expansion to the St. Agnes Medical Center
- Mar. 6 - 11:00 A.M. HEARING** re: P.A. No. A-00-18, Rezone Appl. No. R-00-35, filed by Mosed Omar
- Mar. 13- 10:30 A.M. HEARING** re: Council approval on a 4-story mid-rise building for Fresno Heart Hospital
- Mar. 20 - 10:00 A.M. Adopt Weed Abatement Plan**
- Mar. 20 - 4:45 P.M. Consider adoption of daytime curfew ordinance (Bill No. B-14)**

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